

‘printing system’ is defined to include devices such as electronic reprographic systems, copying machines or electronic printing machines. However, the language disclosed in the specification (such as) is interpreted to allow for other definitions of the “printing system” claimed. Although White does not disclose an as electronic reprographic systems, copying machine or electronic printing machine, he does disclose a system (Fig. 1) that prints (Fig. 1, #12) as specified in the current submitted claims.” This statement fails to respond to the points discussed below, which were discussed in the February 3 Amendment.

II. Points Ignored by Office Action

A. White Requires Network Between Printer Device and Billing Manager

As described at paragraph [0004], [0005] and [0014]-[0017], White is directed to “an electronic transaction recording system [that] accumulat[es] data from printer devices” and that “manages billing policies attributed to each printer device.” Features and operation of such a transaction recording system are described in White at least at paragraphs [0021]-[0025] and Fig. 2. The described processes clearly demonstrate that White relies upon network connections between the printer device 12 and the described billing manager 4. Nowhere does White disclose or suggest that the billing manager is integrated within a printer device 12 to, for example, “retrieve . . . product usage data,” or “calculate billing data,” or “present a bill to the customer,” or “receiv[e] authorization information indicating whether the customer authorizes the billing data,” as recited in the claims. Rather, White describes a network-connected, external billing system that manages and provides billing-based access controls to one or more separate printer devices (12) and that generates billing information externally from the printer.

B. Current Application Characterizes Prior Art Such as White

As stated in the February 3 Amendment, the original specification, at least at page 2, lines 1-24, and Figures 1-4, addresses the use of external, network connection based billing systems used with known printers, such as the billing system described by White. For example, as stated in the original specification at page 2, lines 17-24, “as can be seen from FIG. 4, the prior art requires first to send product usage information from the printing system to the billing service, then send a bill from the billing service to the customer of the printing system, and finally send an authorization from the customer of the printing system to the billing service. Even if these steps were performed electronically, the process is susceptible to errors in each transmission. In case of transmission errors in at least one of the steps, the billing process cannot be reliably performed anymore. Further, it might be necessary to repeat a transmission what might delay the process.” Such a description of the prior art is consistent with the printing system described in White.

C. Current Application Clearly Distinguishes the Current Application from Prior Art Such as White

As described in the original specification at page 4, lines 13 through page 5, line 29, the current application improves the prior art, network-based approaches (as the approach described in White) by incorporating a billing module within a printer device itself. As described in the original specification at least at page 4, lines 13-27:

Referring now to the drawings and in particular to FIG. 5 which illustrates a printing system according to an embodiment of the current invention, the system differs from that depicted in FIG. 1 in that the controller 500 further comprises a billing module 510. The billing module 510 is a software or hardware component that may be implemented on-board and that allows the system control 130 to control the billing process. Thus, the billing module 510 together with the system control 130 form a billing control unit of the printing system.

That is, the invention allows for generating bills locally by the printer so that there is no need to send product usage information from the printing system to the billing service and to send back a bill from the billing service to the printing system. This can be seen more clearly from FIG. 6 which is an information flow diagram illustrating the process of the invention. Since the bill is generated directly by the printing system, the bill can be authorized before any transmission to the billing service is done. The printing system then sends the authorized billing details to the billing service (emphasis added.)

As addressed above, and as stated in the February 3 Amendment, the current application clearly defines a “printing system” as more than “electronic reprographic systems, copying machines or electronic printing machines” as asserted by the Office Action. The current application clearly defines a printing system as a printer capable of “generating bills locally” by including controller 500 with an integrated billing module 510. In the current application, the billing module 510 is a software or hardware component that is implemented on-board and that allows the printer’s system controller 130 to control the billing process. Since the bill is generated directly by the printer, the bill can be authorized **before** any transmission to the billing service performed. White does not teach such local printer bill generation and user authorization processing, because the printers in White do not include an integrated billing module. In White, all such bill processing requires network based communication to network connected billing manager.

Note that the current application includes a billing module 510 incorporated within a printer. The printer generates bills using billing module 510 and transmits generated bills to a remote “billing service” after a user has authorized payment, locally, at the printer. (See Fig. 6 and Fig. 8, blocks 825-855). White, on the other hand, has no such feature as a “billing manager” incorporated within a printer. In White, generation and authorization of a bill by a user requires communication over a network with a remote “billing manager 4.”

In view of these disclosures, it is not reasonable to read "print system" so broadly as to encompass the network-based system of White.

D. Traversal of Rejection Under §102(e) over White

The February 3 Amendment presented support from the original specification, and arguments as presented above, to distinguish the "print system" of the current application from the "print system" of White. Based upon such distinctions, the February 3 Amendment traversed the rejection of claims 1-4, 6, 8-11, 13-15 and 18-19 under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. 2003/0074312 to White ("White"). This argument was effectively ignored by the current Office Action.

Independent claim 1 recites a method of performing a billing process for the copies or prints produced by a customer of a printing system that includes: "a) in the printing system, accessing the memory to retrieve said product usage data; b) in the printing system, calculating billing data using the retrieved product usage data; c) in the printing system, presenting a bill to the customer based on said billing data; d) in the printing system, receiving authorization information indicating whether the customer authorizes the billing data" (emphasis added). As described in the specification at page 1, lines 8-20 and Fig. 1, a "printing system" is defined to include devices such as "electronic reprographic systems, copying machines or electronic printing machines." Further, as addressed above, "the printing system" of the current application includes a printer with an integrated billing module that generates a bill locally and that interacts with users to obtain authorization for payment of the generated bill. Nowhere does White disclose or suggest such a feature.

For at least the reasons addressed above, independent claim 1 is patentably distinguishable over the applied art. Independent claim 13 includes features similar to those addressed above with respect to claim 1 and is patentably distinguishable over the applied art

for at least the same reasons addressed above with respect to claim 1. Claims 2-4, 6, 8-11, 14-15 and 18-19 depend from independent claims 1 and 13, respectively, and are likewise patentably distinguishable over the applied art for at least their dependence on allowable base claims, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

E. Traversal of Rejection Under §103(a) over White

Claims 5, 7, 12, 16, 17 and 20 depend from one of independent claims 1 and 13, respectively. Each of the references identified above fails to overcome the above-described deficiency of White with respect to claims 1 and 13. Therefore, any combinations of the above references do not teach, nor would they have suggested, the combinations of features recited in independent claims 1 and 13.

For at least these reasons, claims 5, 7, 12, 16, 17 and 20 are patentably distinguishable over the applied art for at least the same reasons addressed above with respect to independent claims 1 and 13, as well as for additional features they recite. Withdrawal of the rejections is respectfully requested.

F. Summary

Applicant respectfully asserts the February 24 Office Action fails to address the distinctions between the current application and White addressed in the February 3 Amendment. The Office Action merely asserts, in effect that use of the phrase “such as” in the original specification renders the term “printing system” open ended and capable of encompassing the “printing system” described in White. For at least the reasons, stated above, Applicant asserts that such an interpretation of the current application is unreasonable

in that it clearly ignores and fails to address the issues identified above, which were clearly presented in the February 3 Amendment.

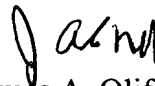
Applicant respectfully requests that, should any rejection based upon White be maintained, all arguments in favor of allowance of the present claims over White be addressed by the next Office Action.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

J. Adam Neff
Registration No. 41,218

JAO:JMH

Date: April 24, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--